

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

*v.*

RYAN FELTON

Criminal Action No.

1:20-CR-0347-JPB-JSA

**Joint Motion to Exclude Time from Speedy Trial Calculations**

The United States of America, by Kurt R. Erskine, Acting United States Attorney, and Nathan P. Kitchens and Sekret T. Sneed, Assistant United States Attorneys for the Northern District of Georgia, and Joshua Lowther, counsel for Defendant Ryan Felton, file this Joint Motion to Exclude Time from Speedy Trial Calculations, showing this Court as follows:

1. On September 9, 2020, a grand jury sitting in this District returned an indictment charging defendant Ryan Felton with sixteen counts of wire fraud, ten counts of money laundering, and two counts of securities fraud.
2. Mr. Felton was released on bond and remains on pretrial release.
3. This case was certified ready for trial on November 24, 2020, during the pendency of the District Court's general orders suspending jury trials and tolling speedy trial as a result of the global COVID-19 pandemic.
4. On May 3, 2021, the District Court's most recent general order expired, presumably restarting the speedy trial clock in this case.

5. The indictment alleges that seven different victims were involved in this case, the majority of whom reside in foreign countries and would likely need to travel to this District for trial.
6. In light of the still ongoing pandemic, the heavy trial commitments for counsel for the government and Mr. Felton as a result of the over one-year moratorium on jury trials, and other case-related obligations, the parties request that this case not be set for trial before November 2021. In light of the upcoming trial obligations for counsel for both parties, the parties will confer and propose potential dates for scheduling a trial in this matter.
7. In recognizing potential speedy trial considerations, the parties request herein that the time from **May 3, 2021** until the trial date set by the Court, such trial date occurring no earlier than November 2021, be excluded in calculating the time within which trial shall be held under the Speedy Trial Act.
8. The parties agree, and ask the Court to specifically find, that this exclusion would serve the ends of justice, and that the failure to grant this motion “would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence....” 18 U.S.C. § 3161(h)(7)(B)(iv). Therefore, “the ends of justice served by the granting of such continuance [will] outweigh the best interests of the public and the defendant in a speedy trial....” 18 U.S.C. § 3161(h)(7)(A).

WHEREFORE, the parties respectfully request that this Motion be granted.

Dated July 11, 2021.

Respectfully submitted,

KURT R. ERSKINE

*Acting United States Attorney*

/s/NATHAN P. KITCHENS

*Assistant United States Attorney*

Georgia Bar No. 263930

Nathan.Kitchens@usdoj.gov

600 U.S. Courthouse

75 Ted Turner Drive S.W.

Atlanta, GA 30303

(404) 581-6185

/s/SEKRET T. SNEED

*Assistant United States Attorney*

Georgia Bar No. 252939

Sekret.Sneed@usdoj.gov

600 U.S. Courthouse

75 Ted Turner Drive S.W.

Atlanta, GA 30303

(404) 581-6000

/s/JOSHUA S. LOWTHER

*Counsel for Defendant Ryan Felton*

Georgia Bar No. 460398

jlowther@lowtherwalker.com

Lowther Walker LLC

101 Marietta Street NW, Suite 3325

Atlanta, GA 30303

**Certificate of Service**

The United States Attorney's Office served this document today by filing with the Court's ECF system that automatically sends a copy to counsel of record for the defendant:

Joshua Lowther, Esq.

July 11, 2021

/s/ NATHAN P. KITCHENS

*Assistant United States Attorney*